

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 234.6 and 2016 Iowa Acts, House File 2460, the Department of Human Services hereby gives Notice of Intended Action to amend Chapter 86, “Healthy and Well Kids in Iowa (HAWK-I) Program,” Iowa Administrative Code.

These amendments add occupational therapy as a covered service under the HAWK-I Program. These amendments clarify additional covered services that are required under Iowa Code chapter 514I and also clarify federal poverty limits that were adjusted to be in compliance with the Affordable Care Act (ACA).

Any interested person may make written comments on the proposed amendments on or before November 15, 2016. Comments should be directed to Harry Rossander, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, Fifth Floor, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by e-mail to policyanalysis@dhs.state.ia.us.

These amendments do not provide for waivers in specified situations because requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217). After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code chapter 514I as amended by 2016 Iowa Acts, House File 2460.

The following amendments are proposed.

ITEM 1. Amend subrule 86.8(7) as follows:

86.8(7) Copayment. There shall be a \$25 copayment for each emergency room visit if the child’s medical condition does not meet the definition of emergency medical condition.

EXCEPTION: A copayment shall not be imposed when family income is less than ~~450~~ 181 percent of the federal poverty level for a family of the same size or when the child is an eligible American Indian or Alaskan Native.

ITEM 2. Amend subrule 86.14(1) as follows:

86.14(1) Required medical services. The participating health plan shall cover at a minimum the following medically necessary services:

a. to n. No change.

o. Translation and interpreter services as specified pursuant to the federal Children’s Health Insurance Program Reauthorization Act of 2009, Pub. L. No. 111-3.

p. Chiropractic services.

q. Occupational therapy.

ITEM 3. Amend subrule 86.20(3) as follows:

86.20(3) Premiums. Premiums for participation in the supplemental dental-only plan are assessed as follows:

a. No premium is charged to families who meet the provisions of subparagraph 86.8(2) “a”(1) or to families whose countable income is less than ~~452~~ 167 percent of the federal poverty level for a family of the same size using the modified adjusted gross income methodology.

b. If the family’s countable income is equal to or exceeds ~~452~~ 167 percent of the federal poverty level but does not exceed 203 percent of the federal poverty level for a family of the same size, the premium is \$5 per child per month with a \$10 monthly maximum per family.

c. to *f.* No change.